

REMARKS

Claims 1, 6-9, 11, 18, and 21-26, as amended, and new claims 27-38 appear in this application for the Examiner's review and consideration.

Applicant acknowledges that the Office Action indicates that claim 24 is allowable if rewritten in independent form including all of the limitations of its base claim. In view of the following comments, it is believed that this re-writing will not be necessary.

Claims 21-23, 25, and 26 were rejected in the Office Action under 35 U.S.C. 1112, second paragraph, as being indefinite. Claims 21-23, 25, 26 have been amended in response to the rejection to correct these informalities. Entry of the amendments and reconsideration of the rejection are requested as no new matter has been entered.

In the Office Action, claims 1, 6-9, 11, 18, 21-23, 25, and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Seigel U.S. Patent No. 4,732,411, in view of Kutsuma U.S. Patent No. 5,905,652 and Foote et al U.S. Patent No. 5,642,906. The Office Action concedes that certain features of the claims are lacking individually from Seigel, Kutsuma, and Foote, and relies on the combination of those references to satisfy those deficiencies. However, there is no motivation or suggestion known to the Applicant in the cited patents or generally in the art that provides motivation to one skilled in the art for such a combination. To the applicant's knowledge, Seigel, Kutsuma, and Foote do not identify a particular deficiency that would motivate a modification to those techniques as is suggested by the Office Action to create the resulting combination. In addition, Kutsuma and Foote teach away from Seigel because Kutsuma and Foote do not show or suggest labels or labeling techniques that include or accommodate a patient's photograph even though Seigel was published and known in the art many years before the filing of Kutsuma and Foote. It is unclear to applicant how the techniques of Kutsuma and Foote could be modified to provide for patient pictures.

Furthermore, neither Seigel, Kutsuma, or Foote, whether considered individually or in combination, show retrieving and combining the software object of a patient's photograph, prescription information, and medicine information to create a label as is recited in the claims. As such, even if individual components of labels are shown in one of Seigel, Kutsuma, or Foote, the step of combining those components as is claimed in the present application is not shown or suggested by Seigel, Kutsuma, or Foote. Accordingly, reconsideration and withdrawal of the rejections with respect to claims 1, 6-9, 11, 18, 21-23, 25, and 26 are respectfully requested.

In the Office Action, claims 1, 6-9, 11, 18, 21-23, 25, and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cloninger PCT Publication No. WO 99/17,218, in view of Kutsuma U.S. Patent No. 5,905,652 and Foote et al U.S. Patent No. 5,642,906. The Office Action concedes that certain features of the claims are lacking individually from Cloninger, Kutsuma, and Foote and relies on the combination of these references to satisfy those deficiencies. However, there is no motivation or suggestion known to the Applicant in the cited patents or generally in the art that provides motivation to one skilled in the art for such a combination. To the applicant's knowledge, Cloninger, Kutsuma, and Foote do not identify a particular deficiency that would motivate a modification of those techniques as is suggested by the Office Action. In addition, Kutsuma and Foote teach away from Cloninger because Kutsuma and Foote do not show or suggest labels or labeling techniques that would include or accommodate a patient's photograph. It is also unclear to applicant how the techniques in Kutsuma and Foote could be modified to provide patient pictures.

Furthermore, neither Cloninger, Kutsuma, or Foote, whether considered individually or in combination, show retrieving and combining the software object of a patient's photograph, prescription information, and medicine information to create a label as is claimed in the present application. Even if individual components of labels are shown in one of Cloninger, Kutsuma, or Foote, the step of combining those components as is claimed in the present application is not shown or suggested by Cloninger, Kutsuma, or Foote. Accordingly, reconsideration and withdrawal of the rejections with respect to claims 1, 6-9, 11, 18, 21-23, 25, and 26 are respectfully requested.

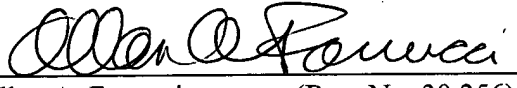
New method claims 27-31 are submitted herein that depend from claim 1 that are directed towards verification of database information which is new and non-obvious over the cited art. Consideration and allowance of claims 27-31 are respectfully requested. New system claims 32-35, depending from claim 9, are also submitted herein and are allowable at least for the same reasons as claims 27-31. Consideration and allowance of claims 32-35 are also requested.

Finally, new claims 36-38, which depend from claim 24, have also been added to the application. Claims 36-38 are allowable because they depend from allowable base claims and also because claim 24, when rewritten, is an allowable claim according to the final Office Action. Consideration and allowance of claims 36-38 are requested.

Reconsideration and entry of the amendment entirety is respectfully requested so that the entire application can be placed in condition for allowance.

Respectfully submitted,

Date: 11/10/03


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